IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 5285 of 2007(D)

PETITIONER:

JOHNSON CHACKO, S/O. C.N.CHACKO,
AGED 40 YEARS, CHIRAYIL HOUSE, KAITHAVANA,
KALARKODE, ALAPPUZHA (COMMERCIAL TAX INSPECTOR,
NADUPUNNI - UNDER SUSPENSION).

BY ADV. SRI.C.P.PEETHAMBARAN
SRI.MANOJ B.MENON
SRI. MOHAN DAS N.S.

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
TAXES DEPARTMENT, THIRUVANANTHAPURAM.

2. THE COMMISSIONER,
COMMERCIAL TAXES, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI.P.NANDAKUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.5285 of 2007.

Petitioner's Exhibits:-

P1: Copy of the order dtd.2/2/2007 in WP(C).No.3807/2007 of this Hon'ble Court.

P2: Copy of the proceedings No.A11-5240/07/CT dtd.5/2/2007 of the 2nd respondent.

P3: Copy of the order of cancellation under Section 16(10) of the KVAT Act r/w Rule 17(18)(i)(ii) & (vii) of the KVAT Rules of the dealer issued by the Asst. Commissioner KVAT, Kasargod.

Respondents' Exhibits:- Nil.

-// true copy //-

P.A. To Judge.

kvs/-

K.K.DENESAN, J.

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WP(C).No.5285 OF 2007-D.

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Dated this the 16th day of March, 2007.

J U D G M E N T

The petitioner has been placed under suspension as per Ext.P2 order dated 5-2-2007 passed by the Commissioner of Commercial Taxes. The said order was passed while he was working as Commercial Tax Inspector. Ext.P2 is an appealable order. Rule 22 of the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960 provides effective remedy against orders of suspension. The petitioner is free to invoke the appellate remedy. If such an appeal is filed by the petitioner, the same shall be considered by the competent authority and disposed of expeditiously.

With the above direction, this writ petition is disposed of.

K.K.DENESAN, JUDGE.

kvs/-